

February 4, 2010

Confirmation of Verbal Approval to Initiate an Emergency Removal Action at the Riverside Avenue Site in Newark, New York

Dwayne Harrington, On Scene Coordinator
Response and Prevention Branch

Walter Mugdan, Director
Emergency and Remedial Response Division

Site ID Number: 02PC

The purpose of this Memorandum is to document the verbal authorization for a removal action at the Riverside Avenue Site ("Site"), located in Newark, New Jersey. On November 9, 2009, the Emergency and Remedial Response Division ("ERRD") Director verbally authorized a total project ceiling of \$250,000, of which \$225,000 is for mitigation contracting to perform a removal action at the Site. The removal action was immediately necessary to mitigate the threat posed by the further discharge of the contents of tanks of hazardous wastes from the Site into the Passaic River. An action was initiated on the site on November 11, 2009, to secure further discharge from the Site.

On October 30, 2009, the New Jersey Department of Environmental Protection (NJDEP) requested EPA assistance to respond to an oil spill on the Passaic River in Newark, New Jersey. The oil discharge extended approximately one mile along the Passaic River in Newark, and emergency responders reported that the material had a strong odor inconsistent with petroleum. Field characterization of the material confirmed the presence of chlorinated organic compounds in the oil. EPA responded and assisted NJDEP in tracing the source of the spill to a discharge pipe at an abandoned industrial facility at 29 Riverside Avenue in Newark. NJDEP emergency response contractors contained the spill on the river, removed contaminated debris from the impacted shoreline, and maintained spill containment at the river bank in the event of further discharge.

NJDEP requested that EPA initiate an emergency removal action to identify and permanently secure the source of the discharge. On November 11, 2009, EPA mobilized to the Site with ERRS and identified the source of the spill as two 5,000 gallon tanks in the basement of one of the buildings on site. The tanks were interconnected and had been intentionally connected to a sewer discharge outlet in the building basement which led to and discharged into the Passaic River. Approximately 5,100 gallons of hazardous waste remains in the tanks and have the potential for further discharge. ERRS secured the tanks from further discharge by capping the discharge lines at multiple points and securing the tank valves. Sampling results determined that the two basement tanks contain aqueous organic and inorganic hazardous waste. The circumstances of the discharge were referred to EPA Region 2 Criminal Investigation Division (CID).

The property is a former paint and varnish manufacturing facility, which has operated since the early 1900's until the mid-1990s under numerous owners and operators. The property is currently owned by the City of Newark through tax foreclosure. On November 9, 2009, representatives from EPA Region 2 Response and Prevention Branch and Office of Regional Council (ORC) met with officials from the City of Newark on the Site to obtain additional information and written access to the property. At that meeting the City of Newark requested that EPA initiate a removal action on the Site.

A preliminary site assessment by EPA has confirmed the results of a recent site investigation performed by a contractor hired by the City of Newark. The site assessment has identified ten 12,000 gallon underground storage tanks on the property containing liquid hazardous substances, two approximately 10,000 gallon sumps containing aqueous organic waste beneath one of the buildings, approximately eighty-five 1000-3000 gallon abandoned process vessels in one of the buildings (the contents of which have not been determined), and friable asbestos-containing material on the property and throughout the buildings. EPA is currently reviewing the history of the Site, including former site operators and ownership of the property, and is preparing a Removal Site Evaluation to determine the eligibility of the Site for further removal action.

There was a release and a continuing threat of release of CERCLA designated hazardous substances at the Site, which is defined as a facility under section 101(9) of CERCLA. Tanks containing hazardous waste are abandoned on the Site, and had the potential for continued discharge into the river.

cc: Eric Mosher, RPB
Joe Rotola, RAB
Eric Wilson, RAB
Jim Daloia, RPB
Mark Pane, RPB

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